

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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United States of America, )  
 ) File No. 17-CR-234  
 ) (WMW)  
Plaintiff, )  
 )  
vs. ) St. Paul, Minnesota  
 ) February 6, 2018  
Brandon Mark Bjerknes, ) 11:05 a.m.  
 )  
Defendant. )  
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BEFORE THE HONORABLE WILHELMINA M. WRIGHT  
UNITED STATES DISTRICT COURT JUDGE

**(SENTENCING HEARING)**

APPEARANCES

For the Plaintiff: U.S. Attorney's Office  
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transcript produced by computer.

1                                   P R O C E E D I N G S

2                                   IN OPEN COURT

3                   (Defendant present)

4                   THE COURT: Please call the case on our calendar.

5                   THE CLERK: United States of America vs. Brandon  
6 Mark Bjerknes, 17-CR-234.

7                   THE COURT: Counsel, please note your appearances.

8                   MS. MUNOZ-KAPHING: Good morning, Your Honor.  
9 Angela Munoz-Kaphing on behalf of the United States. With  
10 me at counsel table is Sergeant Jarrett Walton from the  
11 Beltrami County Sheriff's Office and Assistant United States  
12 Attorney Carol Kayser.

13                  THE COURT: Good morning.

14                  MR. WOLD: Good morning, Your Honor. Peter Wold  
15 appearing with Mark Bjerknes --

16                  THE COURT: Thank you.

17                  MR. WOLD: -- Brandon Bjerknes. Excuse me.

18                  THE COURT: Thank you. Good morning. So I will  
19 ask counsel to remain seated unless they are addressing the  
20 Court.

21                  Just to establish why we're here, Mr. Bjerknes  
22 previously pleaded guilty to coercion and enticement of a  
23 minor to engage in sexual activity that's in violation of  
24 Title 18, United States Code, Sections 2422(b) and 2427, as  
25 well as production of child pornography, in violation of

1 Title 18, United States Code, Sections 2251(a) and 2251(e).

2 Ms. Munoz-Kaphing, have you received a copy of the  
3 presentence investigation report and the addendum?

4 MS. MUNOZ-KAPHING: Yes, Your Honor.

5 THE COURT: And Mr. Wold, have you and  
6 Mr. Bjerknes received a copy of the PSR as well and  
7 addendum?

8 MR. WOLD: Yes, Your Honor, we've received it and  
9 reviewed it --

10 THE COURT: Discussed --

11 MR. WOLD: -- line by line with Mr. Bjerknes at  
12 the Sherburne County Jail.

13 THE COURT: Thank you. And I've received a letter  
14 from Mr. Bjerknes as well as letters of support from his  
15 family and his friends. I've read these materials and  
16 considered all of the submissions carefully. I'm grateful  
17 for them.

18 Before addressing any objections, I want to ask  
19 about the documents which are currently sealed documents in  
20 this case. Under our Local Rule 49.1(c)(2), certain  
21 documents are automatically unsealed when the judgment is  
22 entered unless I order otherwise. These documents include  
23 letters submitted in connection with the sentencing hearing  
24 and motions for a departure or variance.

25 Does either party move at this time to keep those

1 matters sealed?

2 MS. MUNOZ-KAPHING: Your Honor, the government  
3 moves to keep the statements and letters from the victims  
4 sealed permanently because they contain information  
5 regarding minors.

6 The government will defer to what the defendant's  
7 position is with respect to the victim -- I'm sorry, the  
8 defendant's supporters.

9 THE COURT: Okay.

10 MR. WOLD: Your Honor, I hadn't discussed that  
11 with any that have sent letters. If any do, I will bring it  
12 to the Court's attention within days. But at this point we  
13 certainly don't object to the government's motion to keep  
14 the victims' letters sealed, but as for letters in support  
15 of Mr. Bjerknes, we don't ask that those be sealed unless  
16 the Court would give me leave within days to advise the  
17 Court otherwise.

18 THE COURT: So your leave is granted and so if you  
19 choose to move otherwise, I will rule on that motion at that  
20 time. The government's motion is granted.

21 MS. MUNOZ-KAPHING: Thank you.

22 THE COURT: Am I correct that neither the  
23 government nor the defendant has any objection to the PSR?

24 MS. MUNOZ-KAPHING: That's correct, Your Honor, no  
25 objection from the government.

1 MR. WOLD: No, Your Honor.

2 THE COURT: Okay. So I adopt as the findings of  
3 this Court all of the factual statements contained in the  
4 PSR.

5 And Ms. Munoz-Kaphing, it's my understanding that  
6 the government is not moving for an additional one-level  
7 reduction to the offense level for acceptance of  
8 responsibility under Sentencing Guideline 3E1.1(b); is that  
9 correct?

10 MS. MUNOZ-KAPHING: That is correct, Your Honor.

11 THE COURT: Okay. So because the government has  
12 not moved for that additional one-level reduction, I don't  
13 adopt paragraph 93 of the presentence report which  
14 contemplates that reduction.

15 So I will now review my determination of the  
16 sentencing guidelines that apply. A total offense level of  
17 43, Criminal History Category of I, imprisonment range  
18 of the maximum potential penalty of life in prison, a  
19 supervised release term of five years to life, a fine range  
20 of \$50,000 to \$250,000, and a special assessment of \$400.

21 Does either the government or the defendant have  
22 any corrections or objections to my guidelines calculations  
23 given the findings and rulings?

24 MS. MUNOZ-KAPHING: No, Your Honor, none from the  
25 government.

1 MR. WOLD: No. They are correct, Your Honor.

2 THE COURT: Thank you. So now I'll address  
3 motions for a variance -- or actually I'll do that in a  
4 moment, but first I want to make sure that neither the  
5 government nor the defendant has moved for a departure under  
6 the sentencing guidelines.

7 MS. MUNOZ-KAPHING: That is correct, there's no  
8 motion from the government.

9 THE COURT: So at this point, Mr. Wold, you may  
10 make any arguments in favor of a variance and say anything  
11 else that you would like to say on behalf of Mr. Bjerknes.  
12 We'll move into our allocution phase.

13 MR. WOLD: Thank you, Your Honor. Something  
14 happened. Something happened to a decent young man that  
15 grew up in a stable home with a loving family, grew up  
16 working in the family grocery store, going to the family  
17 church.

18 He grew up with a building desire to be a teacher.  
19 He succeeded by building a strong college record and was  
20 successful in becoming a teacher, what he always hoped to  
21 do, and he loved that job.

22 He built a young career as an educator who was  
23 respected by his colleagues and loved by his students and  
24 his community. He worked hard and volunteered generously.  
25 But something happened. It was pure insanity, the trust he

1 violated, the deception he employed, the great harm and pain  
2 he caused to the very children and families he once proudly  
3 served.

4 The true irony is that the day his fake life as  
5 Brett Larson was discovered by the families and the Bemidji  
6 and Beltrami law enforcement officers was the best thing  
7 that could ever happen to him. He was a sick young man.

8 It isn't easy to confront the demons that caused  
9 such insane and destructive conduct, but Brandon Bjercknes  
10 has been involved in that process since last summer. He's  
11 sought counseling. He sought treatment. He sought  
12 evaluation on his own.

13 Brian [sic] Bjercknes admits his crimes and takes  
14 full personal responsibility. He has endeavored to learn  
15 how his aberrant conduct developed and he has strived to  
16 learn about how to truly practice relapse prevention.

17 Nothing about Brandon -- I set him aside and his  
18 endeavors and what he has hoped to try to cure, but I just  
19 want to deal with proportionality of the guidelines here.  
20 We agree with the guideline calculations. I do note and  
21 obviously have spent a lot of time trying to get my arms  
22 around this, but clearly the Sentencing Guideline Commission  
23 over the years has contemplated what seems to be an  
24 imbalance in the guidelines for this type of crime.

25 Second degree murder, attempted first degree

1 murder causing permanent injury, rape with permanent injury  
2 all have significantly less guidelines. That's no excuse  
3 for the conduct. It's just an observation.

4 No excuses further, but this wasn't an adult or a  
5 young adult that was attempting to groom children to be  
6 sexually attracted to him. He did not have sexual contact  
7 with children. This was someone that created a fraud to be  
8 a 13-year-old and that was all he ever was in these  
9 contacts, was a 13-year-old. No excuse, but it wasn't a  
10 grooming situation to create a relationship with him as who  
11 he really was.

12 Brandon Bjerknes is truly, truly sorry for the  
13 pain he's caused, and I'll allow him to address that, as  
14 he's been working towards for many, many months. Brian  
15 [sic] Bjerknes is a beloved husband, father, son, brother,  
16 and friend.

17 He is amenable to treatment. He is not likely to  
18 re-offend. If he lives past his prison time, he will be  
19 forever a lifetime registered sex offender with likely a  
20 permanent period of supervised release.

21 For those reasons, Your Honor, a sentence of  
22 15 years followed by a lifetime of supervised release with  
23 stringent conditions would be sufficient, but not greater --  
24 but not a greater sentence that is necessary.

25 Thank you.



1 THE COURT: Thank you, Mr. Wold.

2 Mr. Bjerknes, you have the right to address the  
3 Court as well before I impose your sentence. Is there  
4 anything that you would like to say on your behalf?

5 THE DEFENDANT: Yes.

6 THE COURT: Please come forward to the podium and  
7 do so.

8 THE DEFENDANT: Good morning, Your Honor, and  
9 thank you for allowing me to speak today. I have many  
10 things I want to say -- I'm sorry -- to the victims, their  
11 families, and the entire community.

12 As a principal, my job was to protect all the  
13 students in my school and in my community. I should be held  
14 to a higher standard. I made terrible mistakes and I did  
15 not uphold the duties I was hired to do.

16 I never, ever should have created a fake Facebook  
17 account and I never should have entered into a world that I  
18 had no business being in. During my darkest and weakest  
19 moments, I failed everyone. I have forever broken their  
20 trust in me and I am so sorry. The victims, the families,  
21 and the community all deserve much better.

22 As I apologize to the victims, Your Honor, can I  
23 turn towards them or should I remain on the microphone?

24 THE COURT: You address the Court, me, yes.

25 THE DEFENDANT: Okay. Thank you.

1 THE COURT: You may not turn around.

2 THE DEFENDANT: My most important goal today is to  
3 express how deeply sorry I am for my immoral, appalling  
4 actions. I do not expect the victims to forgive me or their  
5 families to forgive me. As a parent myself, I know  
6 firsthand how difficult it would be to ever forgive someone  
7 that hurt your child and I know that my actions greatly hurt  
8 these children.

9 This is all my fault. It is my doing. It is my  
10 poor decisions that have me here today. And because of  
11 those poor decisions, I am filled with regret and remorse.  
12 My behavior disgusts me and I'm deeply sorry. If I may  
13 never be forgiven, I hope that today, Your Honor, the  
14 families and the victims can start to heal and start to move  
15 forward.

16 I acknowledge that I suffered from a mental  
17 illness. I was sick, Your Honor. I needed help. And that  
18 journey has begun about a year ago. It has been a building  
19 process and I want to make sure I thank those that have been  
20 there for me, including Dr. Patrick Cronin, Therapist Robin  
21 Hewitt, and the overwhelming support of my amazing wife,  
22 parents, sister, extended family, and dear friends. Thank  
23 you all.

24 I promise to continue getting help and treatment  
25 through my sentence and after. I want to be a positive,

1 productive part of a community once again. I want to offer  
2 so much to this world.

3 I truly treasure being a father of two beautiful  
4 children, being a husband and a brother, a son and a friend.  
5 I will strive to be the man that they want and need in their  
6 lives.

7 My mistakes will forever define my life and  
8 greatly change my future. As a sex offender, my life will  
9 never be the same. I will be treated differently and I'll  
10 be viewed differently. The road ahead will be difficult,  
11 but I will not give up. And I also understand that my  
12 actions have made that road ahead.

13 So, Your Honor, what can I do from here? I plan  
14 to use -- I'm sorry. I plan to use this time to re-invent  
15 myself. I've lost my way. I wandered off the right path in  
16 life. I'm going to use this time to find my way back. I  
17 will reflect on my past, just like I have every day, and  
18 I'll work hard to ensure that my future is positive. I am  
19 ready, I am willing, and I am able to accept all the  
20 challenges that lie ahead. I will not give up and I will  
21 get back on track.

22 I never meant to hurt anyone, Your Honor, yet I  
23 know I have hurt so many. I don't expect forgiveness today.  
24 I don't know if I deserve it. I accept full responsibility  
25 for my actions and I'm so deeply sorry for those that I have

1 hurt.

2 I know the families have had countless sleepless  
3 nights and struggles trying to comprehend what happened and  
4 how to help move forward, and I am so sorry. I understand  
5 those sleepless nights. They shouldn't have to have those.  
6 I should. It's my actions that did this to them.

7 I apologize from the bottom of my heart for the  
8 damages I have caused to them all and their families. I  
9 also apologize to the entire Bemidji community. It is a  
10 great place. There are no words to really describe how  
11 sorry I am.

12 As I look down the road, Your Honor, I hope that I  
13 can show you and an entire community that I can be healthy  
14 and strong again. I apologize.

15 THE COURT: As I said, address the Court.

16 THE DEFENDANT: I'm so sorry and I really hope  
17 that after today the families can start to heal and move on.

18 Thank you, Your Honor.

19 THE COURT: You're welcome, Mr. Bjerknes.

20 Ms. Munoz-Kaphing, you may make your arguments.

21 MS. MUNOZ-KAPHING: Thank you, Your Honor. At  
22 every stage in a child's life they have different  
23 vulnerabilities, and we as parents are tasked with what  
24 sometimes feels like the impossible task of trying to  
25 protect our children from these vulnerabilities.

1           When you first bring your child home from the  
2           hospital, you're focused on diapers and feeding and sleep  
3           schedules. And when they're toddlers, you're focused on  
4           covering electrical outlets and barricading stairs from a  
5           toddler who seems innately attracted to danger and dangerous  
6           situations.

7           And then your child ventures into kindergarten.  
8           You're sending them on the bus alone and into a school day  
9           and into the arms of teachers, principals, educators that  
10          you are now trusting for that day of school that they are  
11          going to help you guard and protect against their  
12          vulnerabilities and protect them.

13          As parents, we depend on these trusted adults. As  
14          a community, we place a high value on our child's educators.  
15          We have an inherent trust in these adults because we know  
16          that educators put their students first and their personal  
17          priorities last. We believe that they will share and do it  
18          honestly and proudly in the duty of protecting and guarding  
19          our children.

20          In the blink of an eye it's time for middle school  
21          and you are sending them oftentimes to a new school and a  
22          new routine and the challenges and excitement of that school  
23          bus are replaced with all sorts of other things, hormonal  
24          changes, physical body changes, new emotions and new  
25          self-consciousness, the desire to fit in, the right shoes,

1 the right clothes, the right phone. It's endless. The  
2 pressures are endless on our kids.

3 And at this point, with all of these new changes  
4 and accompanying vulnerabilities, parents are left longing  
5 for the days when you are wondering when did they last eat,  
6 do they need a new diaper, we better get on that sleep  
7 schedule again.

8 In the midst of all of these changes, the trust  
9 that we put into our educators remains the same. We  
10 maintain that belief that they will share the duty of  
11 protecting and guarding our kids.

12 And unfortunately today we know now that for  
13 nearly three years this defendant, a person who held a  
14 leadership position in the Bemidji Middle School, took  
15 advantage of his duty to protect and guard children. He  
16 created alias social media profiles on Facebook and Snapchat  
17 and he posed as a teenage boy from Duluth, Minnesota.

18 This defendant contacted minors online, many of  
19 which he personally knew because of his role in the Bemidji  
20 public school system, not just from his role at the middle  
21 school, but in his previous position as a teacher.

22 He groomed them via social media chats. I know  
23 the defendant doesn't agree with the "grooming" word, but  
24 that's what happened. That's what we see from the chats.  
25 He complimented their appearance. He flirted with them. He

1        tried to gain their sympathies with fake biographical  
2        information about this Brett Larson persona, that his mom  
3        was sick with cancer, that his dad wasn't around, that he  
4        might be gay, but he's not sure, he's trying to figure out  
5        his own sexual orientation. In the process he learned all  
6        of this private information from the kids he was talking to.

7                He used this information as he coerced and enticed  
8        them to engage in sexually-explicit conversations, coerced  
9        and enticed them to send him nude images of themselves that  
10       don't actually fit the federal strict definition of child  
11       pornography, but were nonetheless sexually explicit. He  
12       coerced and enticed them to send him images of themselves  
13       that actually do constitute child pornography and fit that  
14       federal definition.

15               He frequently sent pictures of his own genitalia  
16       to minor victims. He distributed adult pornography to them.  
17       He distributed some of the child pornography that he  
18       solicited from his victims to other kids that he was  
19       talking to.

20               This isn't an instance of aberrant conduct. This  
21       isn't a blip in the road. This happened for nearly three  
22       years. And for his actions the defendant seeks to be  
23       sentenced at the mandatory minimum that the United States  
24       Congress has authorized for the production of child  
25       pornography, 15 years or 180 months.

1           The advisory guidelines, as this Court well knows,  
2           are life imprisonment. This defendant's offense conduct  
3           level was so high that the guidelines drop him down to 43,  
4           which is the highest number that they afford for offenses in  
5           the federal system.

6           I know that the Court has read the government's  
7           papers and so I'm not going to reiterate all of the 3553(a)  
8           factors today. Instead I would like to focus on addressing  
9           some of the arguments that the defendant has raised as a  
10          basis for his 15-year request and explain why the 3553(a)  
11          factors do not support a 15-year sentence for this  
12          particular defendant.

13          In the course of papers and today's arguments the  
14          defendant has expended a significant amount of time  
15          directing the Court's attention to his family, to his role  
16          as a present and loveable spouse and father. Was he a  
17          present and loving spouse and father? We don't know. What  
18          we do know is this:

19          We know that he was pressuring Minor Number 15 to  
20          send him pictures during the long Thanksgiving weekend in  
21          2014 and during that very same weekend he was sending  
22          pictures of his own genitalia and underwear to a different  
23          minor, Minor Number 13.

24          We know that on Christmas Eve in 2014 he told  
25          Minor Number 36 that, quote, it wasn't going to work, end



1 quote, when she stood up to him and said she wouldn't send  
2 him nude photos.

3 We know that he gave Minor Number 4 detailed  
4 directions about the types of sexually-explicit photos he  
5 wanted from her for approximately an hour starting at  
6 8:00 p.m. in February of 2015.

7 We know that he was playing a highly sexualized  
8 version of Truth or Dare, instigated by him, with Minor  
9 Number 1 in August of 2016.

10 We know that he was messaging Minor Number 34 on  
11 Christmas Day in 2016. He told her he loved her. He told  
12 her that she was amazing and he wished that they could  
13 celebrate Christmas in the same place.

14 We know that at approximately 1:00 p.m. on a  
15 Sunday afternoon in November 2016 he was messaging Minor  
16 Number 5 on Snapchat and pressuring her to leave her friends  
17 who she was playing a game with, run off to the bathroom and  
18 send him -- pardon my language, but this is his, not mine --  
19 pussy pictures.

20 We know that on March 12th of 2017, which is in  
21 this one-year time frame that the defendant claims that he  
22 has now begun his healing process, between the time of  
23 9:56 p.m. and 10:23 p.m. this defendant created nine  
24 different videos using his two iPhones to play and record  
25 pornographic images that he coerced Minor Number 2, who was

1 a 12-year-old girl at the time, to send him on Snapchat.  
2 One of the phones that he used was issued to him in the  
3 course of his role as the principal at Bemidji Middle  
4 School. Then approximately a week later, on March 19, 2017,  
5 he created two additional videos depicting Minor Number 2  
6 with his two iPhones.

7 We know that he was exchanging sexually-explicit  
8 text messages with his children's 18-year-old babysitter and  
9 with one of the teachers at Bemidji Middle School.

10 We know that when he was first interviewed by the  
11 Beltrami County Sheriff's Office he reported that his  
12 marriage was in a lull, that his wife was busy caring for  
13 their young children, that he was often alone in his bed and  
14 at that time that's when he decided to engage in these  
15 sexually-explicit conversations with 12- and 13-year-old  
16 girls.

17 That's what we know about whether Brandon Bjerknes  
18 was a present husband and loving father.

19 Luckily for the 55 known victims in this case and  
20 the other children in our community who were spared this  
21 trauma, there was a present parent. We will hear from that  
22 present parent today, who read his disturbingly  
23 sexually-explicit words to her 13-year-old daughter,  
24 suspected it may have been an adult, and she and her  
25 husband, a present father, reported their concerns to the

1 Beltrami County Sheriff's Office.

2 The Beltrami County Sheriff's Office then engaged  
3 in an extensive investigation to identify the true identity  
4 of Brett Larson. Their efforts, under the leadership of  
5 Sergeant Jarrett Walton, led them to Brandon Bjerknes.

6 Law enforcement interviewed him on March -- first  
7 interviewed him on March 20th of 2017. This is one day  
8 after he created those last two videos of Minor Number 2.  
9 They seized his electronic devices pursuant to a search  
10 warrant and talked to him.

11 At this time he adamantly denied any criminal  
12 behavior. He then eventually admitted to engaging in  
13 sexually-explicit photographs and texting with the two  
14 adults that I previously mentioned and then he finally  
15 acknowledged that he was the adult behind Brett Larson.

16 Did he provide law enforcement with a full  
17 accounting of his activities? No. Not even close. He  
18 minimized the length of time that he was doing this. He  
19 minimized the graphic and utterly disturbing nature of his  
20 conversations with 12-, 13- and 14-year-old girls. He did  
21 not disclose the number of children he contacted.

22 He didn't disclose that he used two iPhones to  
23 create this permanent record of the videos of Minor Number 2  
24 and other children that sent him images on Snapchat. This  
25 was only found after an investigation by law enforcement.

1           He didn't disclose that he solicited photos from  
2           one victim and then in an effort to trade in child  
3           pornography with a known high school boy, that he was  
4           bartering with him and trying to exchange because he thought  
5           that high school boy had photos. He didn't report any of  
6           this to law enforcement.

7           He didn't disclose the endless pictures of his own  
8           genitalia or adult pornography or other sexually-explicit  
9           materials that he distributed to known children.

10          We only know all of this information today because  
11          of the diligent effort by the Beltrami County Sheriff's  
12          Office, many of whom have traveled from Bemidji to be in  
13          court this morning to show their support of the victims in  
14          this case. And that sheriff's office, along with the  
15          support from the Minnesota Bureau of Criminal Apprehension,  
16          carefully sifted through and reviewed these social media  
17          accounts.

18          The content of the Brett Larson Facebook account  
19          alone, meaning the chats, the photographs, the messages,  
20          spans 15,000 pages, 15,000 pages. If I printed that, Your  
21          Honor -- I have a ream of paper in my hands right now that's  
22          500 pages. It would take 30 reams of paper if I were to  
23          print all of those chats and messages. That's just the  
24          alias social media profile. It's not as if he was posting  
25          pictures of his children. This was all the Brett Larson

1 account, those 15,000 pages.

2 The sheriff's office tracked down the minors,  
3 interviewed them, and talked to them about these incredibly  
4 private and embarrassing messages they sent and received.

5 The Court has received several victim impact  
6 statements from parents of victims in this case documenting  
7 what it felt like when they were first contacted by the  
8 sheriff's office and learned that a trusted adult, an  
9 educator in their community, someone they had trusted to  
10 protect and guard against their children's vulnerabilities,  
11 had sexually exploited them for his own pleasure.

12 I would like to take a minute to focus on the  
13 victims in this case. We refer to them by numbers, Minor  
14 Number 1, Number 2, Number 3. We use this nomenclature to  
15 protect their identities, to ensure that their names are not  
16 a public record. And by protecting their identities we give  
17 them a chance to chart their own course, to not be defined  
18 in the public eye by the course that this defendant has  
19 charted for himself. But by referring to them as numbers,  
20 we run the risk of overlooking who they are, that they're  
21 actual children in our state.

22 This isn't a situation where a sexual predator was  
23 looking for children online and came across an undercover  
24 law enforcement officer. These victims are primarily girls.  
25 They were between the ages of 12 and 14 when first contacted

1 by the defendant. They have interests and talents, like  
2 playing the cello and drawing and dance and gymnastics and  
3 creative writing.

4 And unfortunately many of them struggled with  
5 other issues, mental health issues, cognitive delays,  
6 previous abuse, self-harm behaviors ranging from cutting to  
7 suicide attempts. Two of the victims in the case were in  
8 the process of transitioning genders when the defendant  
9 contacted them on social media.

10 And because of his various roles in the Bemidji  
11 public schools and the grooming he engaged in when he was  
12 talking to them online, the defendant knew about these  
13 issues and took advantage of them for his own pleasure.

14 We've heard about the impact that this defendant's  
15 crimes have had on the victims in this case and the families  
16 through their written submissions and the verbal statements  
17 that some of them will make at today's hearing.

18 I understand that there are also families and  
19 supporters listening from Bemidji and the government again  
20 thanks the Court for the accommodation to allow some of them  
21 to listen from a remote location.

22 THE COURT: You're welcome.

23 MS. MUNOZ-KAPHING: The bravery and courage of  
24 these victims is admirable. There are, however, many  
25 victims who haven't come forward today to provide a written

1 statement or wanting to speak in public in court today.

2 This doesn't mean that they weren't harmed by the defendant.

3 It doesn't mean that their harm was any greater or less.

4 They are victims in this case. They matter. It's

5 incredibly difficult to put yourself out there and this is a

6 very private issue and to be sharing private details about

7 your personal life or your family's life. It's their right

8 to not speak and we have to respect that.

9 With regard to the defendant himself, there's been

10 many explanations offered by himself and his supporters,

11 both in writing and in court today, explaining why he did

12 this.

13 There's claims that he was suffering from some

14 sort of tragedy. To my knowledge, this hasn't been

15 disclosed in the presentence investigation or to the Court

16 or anyplace.

17 He claims he was under stress due to his family

18 situation, he was under stress at school, and some

19 supporters have said he was dealing with negative things

20 that young students were doing at his school, he was working

21 with students from poor counties with lesser resources, with

22 lack of funding.

23 I mean, as an initial matter let's not forget who

24 the actual victims are in this case. It's not the

25 defendant. And he's not in a unique position when it comes

1 to stress. There are people in our state, in our community,  
2 and in our country who deal with stress all the time and  
3 luckily for our children and for our community they are not  
4 going online creating fake personas and sexualizing kids or  
5 kids that they know.

6 And if school stressors were truly the root cause  
7 of the defendant's crimes, then his decisions to go ahead  
8 and sexually exploit students in those schools is even more  
9 depraved than what was initially believed.

10 In closing, Your Honor, the defendant has referred  
11 to himself as a teacher and as an educator. As I mentioned  
12 at the beginning of my remarks, educators put kids first and  
13 their personal priorities last.

14 The person standing before the Court today to be  
15 sentenced put his sexual interests first for nearly three  
16 years. He put his own sexual interests first as he  
17 victimized over 55 kids and countless others, including the  
18 family members of the victims who are here today and  
19 listening in from Bemidji. These people actually honored  
20 and took seriously their duty and responsibility to protect  
21 their children.

22 A fair sentence in this case for the crimes of  
23 this defendant and what he committed and what he has done  
24 over the course of these three years is 360 months of  
25 imprisonment followed by a lifetime term of supervised



1 release.

2 Thank you, Your Honor.

3 THE COURT: Thank you, Ms. Munoz-Kaphing.

4 Now, I understand that there are victims present  
5 who wish to be heard. If there are, they may approach the  
6 podium one at a time.

7 MS. MUNOZ-KAPHING: Your Honor, may I -- is it  
8 okay if I call them sort of one at a time?

9 THE COURT: That's fine, and if they will state  
10 their name as they begin to speak.

11 MS. MUNOZ-KAPHING: Thank you, Your Honor. The  
12 government would ask that the parents of Minor Number 1 come  
13 forward at this time.

14 THE COURT: And if you would please state your  
15 name and spell it for our record.

16 MR. LARGE: Hello, Your Honor. My name is Jeff  
17 Large, J-e-f-f, L-a-r-g-e.

18 THE COURT: And who is standing with you?

19 MR. LARGE: This is my wife, Cindy Large.

20 THE COURT: Thank you both. You may proceed.

21 MR. LARGE: My name is Jeff Large. My daughter,  
22 Minor Number 1, is a victim of her former assistant  
23 principal, Brandon Bjerknes.

24 I would like to thank the Court for this  
25 opportunity to talk and describe my understanding of events

1 and my experiences, my concerns, and the impact this case  
2 has had on me and my family.

3 Although I appreciate the Court for keeping my  
4 daughter's name concealed, my daughter is more than Minor 1  
5 to me. My daughter is a lovely 14-year-old girl who has  
6 wonderful qualities, some of which include playing the cello  
7 and art. She loves art and is a great drawer. She has a  
8 love for animals, which explains why she's a vegetarian.

9 However, my daughter also has many struggles and  
10 challenges. My daughter grew up with a speech delay. This  
11 made it difficult to understand what she was saying when she  
12 was learning to speak.

13 My daughter has continued to have difficulties  
14 with her communication with others throughout the years.  
15 She is diagnosed with a speech dysfunction, anxiety,  
16 selective mutism, and self-harm cutting behaviors. This has  
17 made it difficult for my daughter to express her needs, to  
18 self-advocate for herself, and develop relationships with  
19 her peers, others, and myself and my wife.

20 My daughter has not invited -- or was not invited  
21 typically to classmates' birthday parties growing up. My  
22 daughter would typically spend time by herself in the  
23 playground at lunch hour at school.

24 My daughter becomes nervous, affecting her ability  
25 to communicate, which challenges her social skills and

1 learning. She has developed a low self-esteem.

2 My wife and I have worked hard to advocate for my  
3 daughter throughout the years. She has slipped through the  
4 cracks at times at school when she is most silent. We have  
5 had to work with speech therapy, counseling services,  
6 psychiatric services, occupational and physical therapy  
7 services in the past.

8 She is currently seeing a psychiatrist, integrated  
9 behavior health therapist, a skills therapist, and she has  
10 an independent education plan or IEP with modifications at  
11 school to help her with her challenges.

12 In the summer of 2016 we helped my daughter set up  
13 a Facebook account. We thought it would be a good tool to  
14 help her communicate with her peers, develop relationships  
15 because it's easier for her to communicate in the written  
16 media versus speaking.

17 September of 2016 my wife found inappropriate  
18 sexual messages and pictures of my daughter on my daughter's  
19 phone sent to and from Brett Larson on Facebook. The  
20 content of these messages included a game of Truth and Dare  
21 in which an aggressive Brett Larson repeatedly requested  
22 nude pictures of my daughter and provided her with pictures  
23 of his penis and pornographic videos and pictures. The  
24 Beltrami County Sheriff's Department opened the case after  
25 we discovered this information and presented it to them.

1           Brett Larson's message included statements  
2           describing how pretty my daughter was and how much he wanted  
3           to see more nude pictures of her as these pictures made him  
4           hot. Brett Larson's language appealed to my daughter's low  
5           self-esteem by telling my daughter how hot she was, how  
6           good-looking she was, and how she made him feel hot.

7           When we discovered this, we punished my daughter.  
8           It's not appropriate to send pictures. We took her phone  
9           away. Can you imagine that? This was a big deal to my  
10          daughter, to any 13-year-old, to have her phone taken away,  
11          to have access to Internet taken away, to have privileges  
12          taken away. This led to volatile conflict and stress in our  
13          home. It led to self-harm and cutting behaviors by my  
14          daughter.

15          When I was informed by the Beltrami County  
16          Sheriff's Office on March 23, 2017 that Brandon Bjerknes  
17          used the alias of Brett Larson to victimize my daughter on  
18          Facebook, I initially felt very surprised, but that quickly  
19          turned to anger and betrayal.

20          Brandon Bjerknes's position of assistant principal  
21          at the middle school is one of responsibility to students,  
22          parents, and to staff at school. I feel Brandon Bjerknes  
23          has betrayed my daughter, my family, the school. Brandon  
24          Bjerknes has neglected his responsibilities. He has not  
25          accepted responsibility.

1 I feel Brandon Bjerknes preyed upon my daughter's  
2 low self-esteem and communication problems. Brandon  
3 Bjerknes is and was aware of my daughter's diagnosis and my  
4 daughter's low self-esteem and desire to have a relationship  
5 at school secondary to his position as assistant principal  
6 at the Bemidji Middle School. We have approached Brandon  
7 Bjerknes in the past while advocating for our daughter to  
8 try to obtain services at the school.

9 Imagine what my daughter would have actually  
10 thought to have a boyfriend. You know, she strives to have  
11 relationships with her peers. Imagine what it would be like  
12 to have someone think she was hot. Imagine what my daughter  
13 would have felt like to have someone show interest in her.

14 I believe Brandon Bjerknes took advantage of this  
15 knowledge and took advantage of his position and authority  
16 as an assistant principal at the middle school to abuse my  
17 daughter. Brandon Bjerknes knew better, knows better.

18 My wife and I have worked hard throughout the  
19 years to advocate for my daughter and to obtain help for her  
20 challenges. It's been hard. To have someone who trusted  
21 come along and hurt us like this has been very destructive.  
22 It makes me feel sick. It makes me angry.

23 When I think of Brandon Bjerknes taking advantage  
24 of my daughter, it distracts me from any type of thing I'm  
25 doing. I have lost and continue to lose sleep many nights

1 thinking about this abuse and its effects on my family and  
2 me.

3 I have used counseling services to try to  
4 understand and cope with this. I don't understand it. But  
5 these feelings continue to affect me. I've had difficulty  
6 concentrating at work, being distracted by these thoughts  
7 and becoming irritable.

8 I'm reminded of Brandon Bjercknes's abuse every  
9 time his wife comes in to work out in my workplace to use  
10 the exercise equipment. I have adjusted my schedule to try  
11 to avoid seeing her at my workplace.

12 After Brandon Bjercknes's arrest, I found it was  
13 difficult for the school -- I found it difficult to work  
14 with the school to meet my daughter's educational needs. At  
15 the time that this happened my daughter was having  
16 difficulty at school as her special education teacher was  
17 out. She had a chronic illness and ended up retiring. The  
18 substitutes did not have access to her assignments and her  
19 IEP information.

20 On March 24, 2017, after we attended the initial  
21 arraignment, my wife attempted to speak with Drew  
22 Hildenbrand, the middle school principal, but he was busy.  
23 And that's what he exactly told her as he walked by her, my  
24 wife Cindy, he said, "I'm busy" as he walked by.

25 We did set up a meeting the following week with

1 Dr. Hess, the superintendent of the school district, to  
2 express our concerns, including not being allowed to talk to  
3 the principal at the middle school and our concerns we had  
4 about my daughter's identity being concealed. It seems like  
5 they were doing some type of investigation pulling kids out  
6 of classes, which basically put a target on their back. We  
7 had concerns about the modifications that were not being  
8 followed with her IEP.

9 After that meeting we were instructed to include  
10 Dr. Hess, the superintendent, on all future e-mails for the  
11 remainder of the school year to make sure that our voices  
12 were being heard. To this day we haven't heard anything  
13 from the principal from the middle school about any of this.

14 Brandon Bjerknes's actions contributed to higher  
15 stress levels in our family, but also in our school between  
16 me and the school administration. It contributed to  
17 decreased communication and that was detrimental to my  
18 daughter's education at the middle school for the remainder  
19 of her eighth grade year. This also contributed to a lot  
20 more stress at home. The communication and trust between my  
21 daughter and I have been stressed.

22 My daughter had thought Brett Larson was her  
23 boyfriend and liked this attention she was receiving. My  
24 daughter has stated how it felt good to have someone show  
25 interest in her. My daughter has difficulty understanding

1     what a healthy relationship with a boyfriend really consists  
2     of now.

3             Brandon Bjerknes exposed her to pornographic  
4     material during their interactions. She has difficulty  
5     understanding the negative effects of pornography in a  
6     relationship. She has difficulty understanding what a  
7     healthy relationship is. I would like to know how  
8     masturbating and cuming for a 13-year-old girl demonstrates  
9     love, as Brandon Bjerknes has demonstrated -- or has stated.

10            This conflict has led to more self-harm and  
11     cutting behaviors for my daughter. She has scars on her  
12     arms and legs that will never go away. This led to us  
13     seeking additional treatments and care, including  
14     medications and counseling for my daughter and myself, my  
15     family.

16            My daughter has received counseling -- or was  
17     receiving counseling, but we had stopped in the summer of  
18     2016 before we had discovered this information, only to  
19     start up again in October of 2017 when these stressors and  
20     difficulties were escalating.

21            Brandon Bjerknes has showed -- has not shown any  
22     remorse or any sympathy for his actions to me or my family.  
23     He has not taken any responsibility for our difficulties.  
24     How can he be responsible for his actions if he doesn't even  
25     know how it affected his victims?



1 His own description of his opinion -- or his own  
2 description of his actions were unprofessional when he was  
3 asked about this in the state court. I believe his actions  
4 were a little bit more than unprofessional.

5 He has made every effort to avoid eye contact at  
6 his hearings in the courtrooms and hallways. He has been  
7 ignorant to what my daughter and my wife and I have endured  
8 and are currently going through. He has been ignorant that  
9 my daughter is a victim.

10 During the state plea hearing on October 4th Judge  
11 Benshoof had County Attorney Dave Frank write the names of  
12 the four victims involved with the four cases he was  
13 pleading guilty to on a piece of paper and hand them to  
14 Brandon Bjerknes as Brandon Bjerknes stated he was not sure  
15 which victims he was pleading guilty to that day.

16 I learned Brandon Bjerknes has a screen printing  
17 business, which he supplied spirit wear to the Bemidji Middle  
18 High school track team in April of 2017 when he was out on  
19 bond after the initial state charges.

20 My older daughter was a member of the track team.  
21 I was disappointed to learn that the track team was  
22 supporting his business as they felt sorry for his family.  
23 I would not have purchased spirit wear for my daughter  
24 supporting that business had I known they were going through  
25 Bjerknes's screen printing business. I do not think Brandon

1 Bjercknes has any concerns about selling his shirts to  
2 potential victims or previous victims.

3 The summer of 2017 Brandon Bjercknes's wife, who  
4 continues to support him, sold their home and purchased  
5 another home in a development where I live. I have lived  
6 there the last 16-plus years. This development is about six  
7 miles north of Bemidji with about 50 homes in it. It has  
8 families and children in it. I did ask his wife why they  
9 purchased a home so close to us and her reply was that she  
10 has decided to move on and suggested that I do the same.

11 I'm concerned about Brandon Bjercknes returning to  
12 my neighborhood for the safety of my daughter and my family.  
13 I do not feel comfortable walking or riding my bike down  
14 those roads.

15 I do not understand why Brandon Bjercknes would  
16 want to live in a neighborhood next to a victim, a  
17 neighborhood full of children, who may be other victims of  
18 his pedophile solicitations.

19 At the September 28, 2017 federal court hearing my  
20 wife and I were in the hallway when Brandon Bjercknes and his  
21 wife and his sister-in-law Lisa Krause entered the hallway.  
22 My wife sarcastically stated, Hello, neighbor, to which  
23 Brandon Bjercknes's sister-in-law Lisa started yelling at us.  
24 What did you say? You don't know what we're going through.  
25 You should trust us because I know what they're going

1 through. Not one word of remorse or sympathy was mentioned  
2 about Brandon Bjerknes's victims. Brandon Bjerknes was in  
3 that hallway when that occurred.

4 I appreciate the Court keeping my daughter's  
5 identity private. I have tried to keep it private myself,  
6 telling only family members and my manager at work.

7 Regarding this case, I've heard comments in the  
8 community about how the parents of the victims should have  
9 been more vigilant and watchful of their child's Facebook  
10 accounts. I have heard comments about how people are sorry  
11 for Brandon Bjerknes's family.

12 This whole experience has been hard. I'm trying  
13 to deal with it. Every time I think about these events and  
14 these hearings, announcements, treatments, these feelings  
15 continue to surface. Today as I write this -- as I read  
16 this statement I continue to deal with these feelings. We  
17 have not healed from this yet. We are continuing to seek  
18 treatment and hopefully in the future we will improve, but  
19 who is to say.

20 Brandon Bjerknes has not accepted responsibility  
21 for his actions. He only stopped abusing children when he  
22 had to, not because it was the right thing to do. He did  
23 not volunteer any information to law enforcement. He has  
24 not been truthful explaining his true -- everything that  
25 truly happened. The information obtained was only because

1 of Beltrami County Sheriff's Department's lengthy  
2 investigation. He did not enter a plea of guilty until a  
3 plea bargain was actually offered, despite confessing to his  
4 crimes six months earlier.

5 He has looked out for himself through this whole  
6 process. He would still be abusing children if he wasn't  
7 caught and I do believe Brandon Bjerknes understands -- I do  
8 not believe that Brandon Bjerknes understands what he has  
9 done and I do not believe Brandon Bjerknes -- or I do  
10 believe Brandon Bjerknes is a threat to adolescent girls.

11 I'm not sure what is going to happen in the  
12 future, but I do know -- or I believe that this child is  
13 because of what happened in the past and I believe heavily  
14 that today we should be looking at what happened in the past  
15 and not what actually is going to possibly happen in the  
16 future.

17 It's hard to fully describe my feelings and  
18 experiences on a piece of paper and this statement only  
19 provides a brief look into my experience and feelings, but I  
20 hope this helps the Court understand and I appreciate the  
21 ability to read this today.

22 THE COURT: Mrs. Large, do you wish to be heard?  
23 Thank you, Mr. Large.

24 MS. LARGE: This was probably one of the hardest  
25 things that I have ever had to do, I've ever had to write,

1 and I have rewritten this like 5 million times. In fact,  
2 the one copy, it's been revised and edited and revised. So  
3 I am going to do the best that I can. And it's all jumbled.  
4 I'm not good at public speaking. I'm not good at writing.

5 But I was the one that found inappropriate  
6 conversations with Brett Larson of a sexual nature on my  
7 13-year-old daughter's cell phone around August of 2016. My  
8 husband and I suspected that this persona may have been an  
9 adult and decided to contact the police to investigate.

10 Then later on March 23rd, a date that I will never  
11 forget, of last year we learned that our instincts were  
12 correct and found out that the Brett Larson persona was  
13 actually Brandon Bjerknes, at the time the Bemidji Middle  
14 School assistant principal. I was really shocked that it  
15 was him behind all of this and confused because at the time  
16 he was a person that I knew of and respected.

17 I have known him since both my kids attended the  
18 elementary school where he worked at at the time. Later he  
19 became an activities director at the middle school that my  
20 kids attended and then later on promoted to the middle  
21 school assistant -- as the middle school assistant  
22 principal.

23 And, in fact, we knew him and we trusted him  
24 enough to enlist his assistance with our youngest daughter's  
25 middle school IEP meeting. During this IEP meeting he

1 learned more about my daughter's mental health issues and  
2 what we were dealing with at school and a family as a result  
3 of it.

4 My daughter has an anxiety disorder called  
5 selective mutism and with this disorder our daughter cannot  
6 speak in any social settings even though she has the ability  
7 to. Unfortunately in my daughter's case, she rarely even  
8 speaks at home. She can often go all day without even  
9 uttering a word.

10 And because of this disorder, my daughter is very  
11 immature and very limited in her social interactions and  
12 unsure of most social norms. She's not part of it. She  
13 doesn't know. She's not capable of making the correct  
14 choices even though we've tried our best to educate her.

15 She's a vulnerable child and therefore I have had  
16 to try to protect her -- and my husband -- in the best ways  
17 possible throughout her whole life and we've always had to  
18 monitor all of her activities.

19 When choosing a victim, Brandon Bjerknes knew that  
20 my daughter would be a perfect candidate. He knew that my  
21 daughter had little to no friends, no boyfriends, no  
22 potential prospects of any in the future because of this  
23 disorder. My daughter wouldn't and couldn't talk to anyone  
24 or us should she feel uncomfortable, threatened, or scared.  
25 She wasn't going to tell anyone.

1           Unfortunately, the exact opposite occurred and my  
2           daughter actually liked this attention that she was  
3           receiving. She's never received it before. She started to  
4           sneak into our downstairs family room to have conversations  
5           with him and this is when I became suspicious.

6           In one conversation that I was able to read that  
7           she didn't delete yet on my daughter's phone, that Brandon  
8           Bjerknes was showering her with lots of compliments. And  
9           I'm sure this was to gain her trust. And he played along  
10          with my daughter's odd conversation about rice. The  
11          conversation later turned to a sexual nature, starting out  
12          with moist rice.

13          He eventually persuaded my daughter to pose in  
14          sexually-provocative positions and later expose her private  
15          parts and her yummy hair to heighten his arousal, and he  
16          also asked if her pussy was shaved or unshaven.

17          He forwarded pictures of his own nipple and of his  
18          aroused penis under his blue-striped boxers to help give her  
19          the courage to cooperate and elicit her further in this  
20          activity. He asked that she view various pornographic  
21          images of others and of himself masturbating on Snapchat.

22          I'm sure that my daughter never experienced this  
23          attention before and to have someone pursue her, especially  
24          in a sexual nature, was exciting for her. She even Facebook  
25          messed a friend to say that she had a new boyfriend.

1 I'm sure she wanted these conversations to  
2 continue, which is why I'm sure that she resorted to doing  
3 almost anything that was asked of her by whom she thought  
4 was Brett Larson, her boyfriend. This is not the way I  
5 would have hoped for her to experience her first boyfriend.

6 I can only guess how this is impacting my daughter  
7 at this time due to her limited communication. I know it  
8 will be a slow process due to her limitations and continuing  
9 to attend therapy will somewhat help her.

10 But from my own prior experience as a victim  
11 myself, I have had difficult relationships with my family  
12 and my personal life with friends and dating throughout my  
13 life. I didn't fully trust men, was a serial dater, often  
14 found myself in unhealthy and abusive relationships.

15 After attending therapy myself, I was able to  
16 build my trust in a man and got married at the age of 35 to  
17 my husband. I had my first child at 36 and my last, his  
18 victim, at 39 years old.

19 As a result of my own history and to hopefully  
20 keep my kids safe and to have them not experience what I had  
21 to experience, I became a stay-at-home mother. When my kids  
22 started school I often helped out in their classes so that I  
23 got to know their teachers, the staff, the kids' classmates  
24 and their friends. It now disgusts me and I have so much  
25 guilt that when I thought I was doing everything possible to



1 keep my kids safe, I was actually putting both of my girls  
2 at risk.

3 It frightens me now that my youngest daughter  
4 would now likely face, with her already tough issues that  
5 she has to deal with, yet another obstacle and a challenge  
6 in her life.

7 Now my husband and I are even more concerned about  
8 our daughter's welfare as we have seen an increase in  
9 self-harming where we have had to take her to the emergency  
10 room for treatment a couple months ago. Her defiance at  
11 home and her lack of interest at school has increased. This  
12 turmoil is causing her to alienate herself even further from  
13 us and has caused marital difficulties.

14 My daughter has recently engaged in even more  
15 inappropriate online activities, so now we have to be even  
16 more hypervigilant on her online usage. I don't think that  
17 she understands what a healthy male relationship actually  
18 entails because she is still interested in these types of  
19 activities to gain attention.

20 And when we ran this by her therapist, she  
21 mentioned that because she is a victim, this activity -- how  
22 did she explain that? She is going to re-offend and she's  
23 no longer going to be the victim, but she's going to  
24 continue with this activity because of her past experience  
25 in this activity.

1 I'm sorry. I'm upset.

2 In our town there's constant reminders of Brandon  
3 Bjerknes. I learned that my oldest daughter's track team  
4 purchased spirit wear through his screen print business even  
5 after the charges were filed.

6 I had to contact the high school, my employer,  
7 because I thought this was a conflict of interest with my  
8 children and others of the district. I feel that it's  
9 inappropriate for the abuser and his supportive wife to  
10 profit from the Bemidji area students and their victims and  
11 their families. I still feel a discomfort at school because  
12 the high school principal and the activity director and all  
13 of the team coaches didn't support us in this decision.

14 Then later to find out that two different parents  
15 of my oldest daughter's dance team sold a home, one as the  
16 agent, the other as the seller, in my own neighborhood to  
17 Brandon Bjerknes and his wife Angela.

18 Brandon Bjerknes's name is on the deed, so I can  
19 assume that at some point he will want to return there after  
20 his incarceration and the thought of him later occupying  
21 that home in the near future sickens me for the families and  
22 children of the neighborhood as well as for my own.

23 Now I can no longer walk, ride bikes with my  
24 family or my dogs in my own neighborhood comfortably because  
25 I don't want to run into that family with whom are in

1 support of him.

2 I have a great deal of discomfort of being part of  
3 my oldest daughter's school activities as a parent. These  
4 constant reminders and interactions with coaches and staff  
5 and families who still support and defend his family, this  
6 is interfering with my relationship with my oldest daughter  
7 because it's hard for her to understand my reluctance and  
8 she clearly wants me involved in this part of her high  
9 school career. She thinks it's unfair because it's  
10 something that her sister did and not her.

11 My youngest daughter no longer has use of a cell  
12 phone due to our fear of usage because of what I mentioned  
13 earlier. Now she attends the high school. Classrooms  
14 frequently use Google Classroom and Google Docs  
15 applications, so personal devices are encouraged.  
16 Unfortunately, she isn't able to use this technology to her  
17 advantage. This created a lot of conflict in our family and  
18 her grades have suffered because she is unable to ask for  
19 the available, if any, classroom MacBook/Chromebooks to use  
20 during class.

21 A lot of the students and the staff at the local  
22 schools know that my youngest daughter is a victim as the  
23 school did a poor job of keeping some of the victims' names  
24 confidential.

25 There are many that seem to think that she is and

1 all the victims are responsible and to blame as they took  
2 part in forwarding these sexual images to Brett Larson.  
3 This must cause her even more anxiety than she already has  
4 at school and it's not fair for her when these judgments are  
5 placed on her from people, staff, and other students.  
6 Clearly they're unaware of her weaknesses and insecurities  
7 and that Brandon Bjerknes cunningly persuaded her and that  
8 she never would have engaged in this activity unless  
9 relentlessly pursued.

10 He sexually abused my daughter. Even though there  
11 wasn't any touch involved, he came into my home, in my  
12 downstairs family room, and he introduced my daughter to  
13 things that no 13-year-old should ever be exposed to and he  
14 used her in a sexual way for his own perverted sexual  
15 gratification.

16 This adult man convinced my daughter to produce  
17 sexually-provocative images, view sexually-explicit  
18 material, engage in sexually-explicit activities and at her  
19 age she wasn't mature enough or mentally prepared enough to  
20 understand the risks or the ramifications of what she was  
21 involved in.

22 He's a pedophile. He's interested in sexual  
23 encounters with pre-adolescent children rather than adult  
24 women. Each victim in this case was between 12 years old  
25 and I believe the oldest was 14 years old. There's

1 well-documented research that pedophilia is a sexual  
2 orientation and that means he can't be rehabilitated and he  
3 will most likely re-offend because there's no cure or  
4 treatment for this perversion.

5 With Brandon Bjerknes it was not a one-time  
6 mistake even though there's only two charges in this case.  
7 There were over 55 victims in the course of possibly three  
8 years and it might even be more because I just recognized  
9 one of the other victims that came to court today and I have  
10 known her since elementary school.

11 He spent a great deal of time involving himself in  
12 this activity both at home and at school while at work.  
13 This behavior may have escalated even further than the  
14 charges in this case that we will never, ever know. I  
15 witnessed many middle school girls congregating in his  
16 office before and after school and during conferences.

17 A lot of these victims trusted in him and may be  
18 too embarrassed to confide that there was any inappropriate  
19 touching. Many of these victims didn't even come forward  
20 even though they were asking for victims to come forward in  
21 town, but they were also found during the amazing course of  
22 the investigation of Beltrami County.

23 In fact, some of this behavior, if they did  
24 report, may have been ignored by the school because he was  
25 very close friends with the middle school officer and the

1 middle school principal, his boss.

2 So when this news broke on this case this past  
3 March, I viewed on a local Bemidji chitchat gossip Facebook  
4 page that a concerned parent actually did complain to the  
5 middle school when Brandon Bjerknes squeezed his daughter's  
6 butt when he helped hoist her up onto the ledge by the  
7 buses. This made the daughter uncomfortable. She told her  
8 father. But then Drew Hildenbrand, the middle school  
9 principal, deemed that it was unfounded and maybe an  
10 exaggeration.

11 And then another parent told me after the news  
12 broke, I saw her shopping, she said, I was just really -- I  
13 just thought he was just odd because when my daughter was in  
14 fifth grade he mentioned -- she was a kid that matured fast,  
15 she was mature for her age at fifth grade, and she said that  
16 he said that she was sexy to the mom.

17 Brandon Bjerknes has not accepted any  
18 responsibility for any of his actions. I've been to every  
19 court date since this ordeal began. Every time Brandon  
20 Bjerknes enters court, I look at him in the eye throughout  
21 the entire proceedings. There has not been once any mutual  
22 eye contact, no sign of any remorse, just a blank stare  
23 either looking at the judge or his attorney.

24 The only time I've seen, I've witnessed that he's  
25 ever shed a tear is when there was a mention of a possible

1 sentence or the one time his wife was in federal court. The  
2 one time in federal court he whispered I love you and I'm  
3 sorry to her, but I've never seen a whispered I'm sorry to  
4 me or any of the other victims that were in court.

5 He doesn't act like he truly cares about the  
6 victims or the impact of his actions on their lives. All he  
7 shows is concern for himself in the proceedings that I have  
8 attended.

9 And he's a well-educated man. I'm sure that  
10 during his schooling that he learned about predators of this  
11 nature and the impact on the young children involved. He  
12 still went against all that he was educated and trained to  
13 do and preyed on my daughter and the other 55 victims.

14 He had an intricate scheme setting up a Facebook  
15 profile and a Snapchat account and managed to have multiple  
16 ongoing conversations and interactions with his multiple  
17 victims while at home and at school.

18 He used his position of authority as the middle  
19 school principal to identify those he could easily take  
20 advantage of. He went for the easy targets, the troubled  
21 girls who were powerless, vulnerable, and easy to persuade.  
22 He is a disgusting human being and he needs to be punished.

23 He's also very skilled at planning ways to involve  
24 himself with children. He strategically sought employment  
25 with at first the elementary school, worked his way to the

1 middle school so that he can be in contact with the children  
2 of the age that he's attracted to. He used to deejay at the  
3 local schools, mainly at the middle school.

4 He owns a screen print business that all the local  
5 schools use for spirit wear or for their sporting things,  
6 even for the sugar -- even for like benefits type of things.  
7 He was also a photographer. And these are just only the few  
8 businesses that I was aware of.

9 I'm also curious if he was going to use his  
10 accumulation of sexual pictures that he obtained as a future  
11 business venture and sell them to others. Should he get out  
12 in the future, what possible future employment will he seek  
13 and what future business endeavors will he do and involve  
14 himself and put other young children at risk?

15 I ask that you consider the maximum sentence for  
16 all of the charges and to keep our community safe and to  
17 allow for our families and the victims to heal.

18 THE COURT: Thank you, Ms. Large.

19 I would like to ask counsel to approach at this  
20 time.

21 MR. WOLD: Did you ask us to approach?

22 THE COURT: Yes, please. And members of the  
23 audience, if you would like to take a stretch break, you  
24 should feel free to do so.

25 (Sidebar discussion off the record)



1 THE COURT: At this time we will take a 15-minute  
2 recess, so please be prepared to come back into the  
3 courtroom at 12:30.

4 (Recess taken at 12:13 p.m.)

5 \* \* \* \* \*

6 (12:31 p.m.)

7 **IN OPEN COURT**

8 THE COURT: We are ready to proceed.

9 MS. MUNOZ-KAPHING: Thank you, Your Honor. The  
10 mother of Minor Number 34 would like to address the Court at  
11 this time.

12 THE COURT: Thank you.

13 MS. MCKINNON: I'm Nicole McKinnon.

14 THE COURT: Thank you. You may proceed,  
15 Ms. McKinnon.

16 MS. MCKINNON: I am unfortunately the mother of  
17 one of the many victims in this case. My daughter was  
18 repeatedly victimized and had her innocence stolen by  
19 Mr. Bjerknes, something she can never get back.

20 As a mother, there's not much I can do to fix this  
21 for my daughter. I bring her to counseling, I bring her to  
22 church, I talk with her, I do my best to make sure she knows  
23 this is not her fault, but I can't buy her a new childhood  
24 and I can't erase this disgusting crime from her memory.

25 Mr. Bjerknes, your crimes have impacted every

1 possible area of our lives, from my daughter's education, to  
2 my career, to friendships, our finances, our health, and our  
3 relationships.

4 Our lives have basically been on hold since all of  
5 this came out. We've been unable to truly breathe or enjoy  
6 our lives because what you have done is always in the back  
7 of our minds reminding us of our sadness and our anger.  
8 It's always there, every day. Hopefully after this hearing  
9 we can begin to put this behind us.

10 Do us all a favor and do not appeal your sentence  
11 and your torment of these children and serve the sentence  
12 that is given to you today so that these children and their  
13 families can begin to heal.

14 Yes, Mr. Bjerknes, I have no doubt you will be  
15 spending many, many years behind bars for what you have done  
16 to these children. I have faith that justice will be served  
17 here today. Your life is essentially over, as it should be,  
18 but you need to remember that these children and their  
19 families will be living with this for the rest of their  
20 lives.

21 Every day I have to relive the unbearable sobs  
22 that came from my daughter on the day of your arrest. She  
23 was drowning in her emotions that day from pain, guilt,  
24 anger, embarrassment, and shame, which eventually turned  
25 into a severe depression because her adolescent brain didn't

1 know what to do with everything she was feeling.

2 She trusted you, respected you, and confided in  
3 you. She talked with you about things sometimes before she  
4 would even come to me and you have now perverted her idea of  
5 what a normal relationship should be like and you also  
6 instilled a deeply-rooted mistrust for authority within her.  
7 And for what? Because you're sick?

8 You are an intelligent, college-educated man. You  
9 knew this was evil. When you first realized you were  
10 attracted to little girls, why didn't you seek help? Why  
11 didn't you change careers? Why did you let it get this far  
12 and hurt so many innocent children? I'm never going to  
13 know, but I hope these are questions you ask yourself each  
14 day as you wake up in prison.

15 I have attended every hearing since the  
16 arraignment and I have heard you speak. I read your  
17 acceptance of responsibility statement and there's no  
18 remorse in your words and that's because this was not some  
19 awful mistake that was made one night or a temporary lapse  
20 in judgment. This was an elaborate scheme that you  
21 concocted to exploit innocent children lasting for at least  
22 three years.

23 I believe you're only sorry that you got caught  
24 and I thank God that you did get caught. I thank God for  
25 our local law enforcement and the U.S. Attorney's Office,

1 and I thank God that the children in our community are safer  
2 with you in prison, including your own children.

3 I don't feel the need to ask for much here today.  
4 It's obvious where this man belongs and I trust that justice  
5 will be served, but my daughter is not the same. You've  
6 changed her permanently.

7 She lost so many friends and has had such a hard  
8 time in school this past year. For months I had to drop her  
9 off at school late and pick her up early so she could avoid  
10 the crowded hallways full of insensitive kids. Everyone  
11 knew she was one of your victims.

12 The day of your arrest changed everything for my  
13 daughter. She called me from school so many times wanting  
14 to be picked up. Please, mom, come get me. I can't stay  
15 here. I wanted her to change schools, but she refused  
16 because she so desperately wanted everything to just go back  
17 to how it was.

18 One day I got a phone call from another mother.  
19 She told me that she had picked my daughter up from school  
20 and I needed to come to her house right away. She wouldn't  
21 tell me much over the phone.

22 So I rushed to her house, where I learned my  
23 daughter had decided she no longer cared if she lived or  
24 died. She just wanted the pain to end and was thinking of  
25 ways to end her life, all because of you and what you did to

1 her.

2 You took what you knew about my daughter, her  
3 struggles and her problems, and used them to get what you  
4 wanted from her, to curb your disgusting sexual appetite for  
5 children. That's a sickness that in my opinion cannot be  
6 fixed.

7 Mr. Bjerknes belongs in prison for a very, very  
8 long time. Please put him there for as long as possible and  
9 don't let him victimize any more innocent little girls.

10 Thank you.

11 THE COURT: Thank you, Ms. McKinnon.

12 MS. MUNOZ-KAPHING: Your Honor, I'm just looking  
13 back to make sure. I believe there's one more mother that  
14 would like to address the Court and she is the mother of two  
15 victims in this case, Number 15 and Number 28.

16 THE COURT: Thank you, Counsel.

17 If you need to adjust the height of the podium,  
18 you may.

19 MS. FRENZEL: I'm okay. Thank you, Your Honor.

20 THE COURT: Very well.

21 MS. FRENZEL: Jenny Frenzel. I'm going to start  
22 with my oldest daughter. She wrote this statement and has  
23 asked me to read this to the Court.

24 I think every single one of my family members has  
25 been affected by Brandon Bjerknes. When I was 12 or 13 he

1 was my sister's fifth grade teacher. At times I wished he  
2 was my own teacher because he seemed pretty great. He was  
3 friendly and he was always there for us when we needed to  
4 talk.

5 A year later he moved to the middle school as the  
6 assistant principal. I was pretty excited when he came to  
7 the middle school. Whenever I wanted to get out of class or  
8 was having a bad day, I would go see Mr. Bjerknes. He let  
9 me sit in his office and talk to him whenever I needed.  
10 Brandon soon became somebody I trusted very much.

11 When I was 13 I got a birthday present from my  
12 mom. It was Facebook. I was super excited to finally be  
13 just like everybody else. I never posted much because my  
14 mom had my password and she checked in on me all the time.

15 When I was in eighth grade I had enough money to  
16 buy my own iPod. I started posting a lot more because I  
17 could hide things from my mom. I would post motivational  
18 videos, but mostly about dance. I loved dance. I posted  
19 yoga, everything.

20 I was first contacted by Brett Larson when I  
21 posted one of my motivational videos. He said a friend sent  
22 him the video and he needed someone to talk to. He told me  
23 he thought he was gay and didn't know how to control himself  
24 in the locker room in front of the other boys. He just  
25 needed someone to vent to and talk to. I tried to be there

1 for him and we talked so often that we became close friends.

2 When I got to the high school, ninth grade, I made  
3 the varsity dance team. Dancing soon became one of the  
4 biggest parts of my life, a great passion. That's when I  
5 was first sexually approached by Brett Larson. He would  
6 message me and tell me he didn't know if he was actually gay  
7 because pictures of her dancing turned him on and he would  
8 get hard. He told me I made him hard and he would  
9 masturbate to my dance videos. He would frequently ask me  
10 to send private pictures of myself to him. It would make  
11 him feel really special.

12 I was never too bothered by helping Brett out and  
13 giving him advice when he asked for it, but the thought of  
14 sending him pictures did make me feel uncomfortable. I  
15 didn't tell my mom because I was afraid she'd take my iPod  
16 away.

17 Sometimes Brett asked me to do weird things, like  
18 request I'd post certain videos in certain poses or certain  
19 pictures. Brett and I stopped talking shortly after that,  
20 if I remember correctly. He just seemed to disappear when I  
21 told him no.

22 I remember very vividly one night my sister and I  
23 were arguing with our parents. My sister -- sorry, I have  
24 her name in here and I am going to refer to her as my  
25 sister -- shared with her that Brandon gave her his personal

1 cell phone to use whenever she needed to talk or call. That  
2 night we did, we did call him. He didn't answer, but the  
3 very next day in school he gave my sister a free pass to  
4 spend the day in his office.

5 When I first found out about Brandon Bjerknes and  
6 he was arrested, I was sitting with my mom and her and I  
7 were in such disbelief. This was a guy we had trusted and  
8 spent a lot of time with. There was no way anything like  
9 this could have come from him.

10 I remember stuff blowing up all over Facebook. I  
11 remember lots of people defending him because they thought  
12 this was some big joke and somebody out to get him. Then it  
13 all started to fall into place. The name, the fake Facebook  
14 profile was released, and I knew right away this was the  
15 same guy I used to be friends with.

16 I planned on calling the police, but I got scared  
17 and shut down. I didn't tell anybody. I didn't tell my  
18 mom. I kind of went into a hole. I was so embarrassed. I  
19 spent many nights crying wondering why such a great guy that  
20 I trusted could do such a terrible thing.

21 I soon began questioning every guy that came into  
22 my life. I switched from boyfriend to boyfriend, not being  
23 able to trust any of them. I started therapy. I started  
24 self-harming. I just assumed my issue with men stemmed from  
25 somewhere else. Little did I know after my therapy it



1 stemmed from this, a man in my own school took advantage of  
2 me and used me.

3 Not long after the call, I was sitting in my  
4 living room with friends. A lady from the police station  
5 said she found messages from Brett and wondered if I wanted  
6 to make a statement. Before she could even finish the  
7 sentence, I said no and hung up on her. Tears started  
8 streaming down my face. I got so hot and angry. I had so  
9 many questions. I wanted to scream.

10 The minute I hung up the phone, I locked myself in  
11 the bathroom and cut myself so deep I had to go to the  
12 emergency room. I blamed myself for everything. All the  
13 emotions, all the therapy was my fault.

14 Has this crime affected our family? You bet it  
15 has. It's put us through hell, put my mom through hell, my  
16 sister through hell, everybody. What Brandon Bjerknes has  
17 done to not only me and my sister, but all of his victims is  
18 inexcusable. You have broken all of our trust and hurt an  
19 entire community.

20 I continue -- I need to continue therapy. In  
21 fact, I called Monday morning to get back into therapy. I  
22 have had my own battles dealing with this. I have pushed  
23 off even writing this statement until the very last minute.  
24 It's been months since you've been arrested, months since  
25 the police station has contacted me. I can't even write a

1 sentence. I can't imagine what any of the victims are going  
2 through.

3 My mom is supposed to protect her children from  
4 things like this, right? I mean, she trusted this guy.  
5 Should she have suspected something? Mr. Bjerknes, you even  
6 had the nerve to sit next to us at church on Christmas Eve.

7 How many times did you really jerk off to my dance  
8 videos? We have gone through so much for your own sexual  
9 pleasure, it disgusts me.

10 I think Brandon Bjerknes deserves the max. There  
11 was, what, 50-plus victims, if I remember correctly. That's  
12 50 underage girls. That's 50-plus lives you have affected.  
13 That's more kids than in one classroom. That's half the  
14 amount of kids in a pod at the school you were the vice  
15 principal of.

16 It's bad enough what you did, not to mention the  
17 fact that you took advantage of your job. You didn't only  
18 affect 50 lives. You affected so many more, every kid you  
19 taught, every kid at the middle school, not to mention your  
20 co-workers and on a daily basis the parents, the siblings  
21 and what could have been future victims, maybe my little  
22 sister.

23 I'm so glad he got caught when he did. I also  
24 believe that he should have to take some sort of sexual  
25 predator classes and maybe a handwritten apology to every

1 one of his victims.

2 Now, I understand that Ms. Angela here wanted to  
3 give each of the victims a number, but for this one I would  
4 like to use my daughter's name and her name is Madalynn. I  
5 want Brandon to hear this.

6 It's really hard to put into words the impact this  
7 has had on my family over the past years, more specifically  
8 the past three years. To put it into one word, hell.

9 I didn't realize that one of the roots of most of  
10 Madalynn's problems landed so close to home. And after  
11 learning about what Brandon did, most of the pieces of the  
12 puzzle started coming together.

13 Most of the problems for Madalynn started in sixth  
14 grade. She started becoming depressed, having some behavior  
15 problems, and spending a lot of time visiting with the  
16 school counselor and with Brandon in his office talking  
17 about problems in school with him, from bullying from other  
18 kids, problems in classes with teachers, et cetera. Little  
19 did I know while all this was going on Brandon or should I  
20 say Brett Larson contacted her via Facebook messenger.

21 This continued through seventh grade and the  
22 depression got a little worse. More bullying from students  
23 and struggles with teachers quickly became a weekly battle.  
24 Madalynn spent a lot of time with Brandon in his office  
25 talking. Little did Madalynn know that the messages she was

1 getting from Brett were really from the person she was  
2 talking and trusting with all of her problems.

3 Let's fast-forward to January 11, 2015, Madalynn's  
4 14th birthday. Guess who is one of the first people who  
5 wishes Madalynn a special birthday? Brett Larson. He was  
6 wanting to wish Madalynn a very happy birthday and wondering  
7 if she wanted to get together and exchange pictures of each  
8 other in their birthday suits to celebrate.

9 I wonder, Brandon, did you see her in school that  
10 day too? Did you put your arm around her and console her?  
11 Did you wish her happy birthday in the halls at the middle  
12 school? What were you thinking when you did that? It makes  
13 me sick.

14 That message must have bothered Madalynn enough  
15 because what happens next has changed our lives.  
16 January 15, 2015 I go to work just like every other day. I  
17 get a phone call about 2:30 p.m. that my daughter was being  
18 transported to the Sanford emergency room and that Beltrami  
19 County was taking custody of my daughter. Someone would  
20 contact me the next day with further information.

21 What would be the first thing you would do as a  
22 parent? Freak out? I did. No one could even tell me if my  
23 daughter was dead or alive. I left work ASAP and drove like  
24 a crazy person to the middle school. I worked in Red Lake,  
25 which was 35 miles away from the middle school. I finally

1 got through to the emergency room, who happened to tell me  
2 by accident that she wasn't there.

3 When I arrived to the middle school there was two  
4 police officers, two workers from Beltrami County, and you  
5 were there, Brandon, and the school counselor. Madalynn was  
6 hiding in a stairwell telling people she was going to kill  
7 herself and that she didn't want to live and she was being  
8 abused, but couldn't clarify by who or how.

9 Within the next 24 hours Madalynn was assessed at  
10 the Bemidji ER, put on a 72-hour hold, sent to Fargo for  
11 about three hours, then sent to Duluth to a residential  
12 treatment facility.

13 From that time she left the middle school that day  
14 in January, I wasn't allowed to talk to her until March.  
15 Six weeks I went without talking to my daughter. In that  
16 time she started self-harming so bad that the cuts on her  
17 wrist required stitches. She told counselors she was  
18 sexually abused, but wouldn't give much more information  
19 than that.

20 Her sisters and I finally got to see her for  
21 Easter in April. We drove to Duluth. She begged me to take  
22 her home. She cried when we left. So did we. We had  
23 Easter without Madalynn that year.

24 How could I -- now, I could honestly take up hours  
25 of your time talking about Madalynn's placement over the

1 last three years because each one comes with its own trauma,  
2 but I will do my best to sum it up with what I can.

3 Duluth ended up kicking Madalynn out due to her  
4 high depression needs. Beltrami County still had custody  
5 and had nowhere to place her. It came down to the day  
6 Duluth said that she had to go and Beltrami County had  
7 nowhere to put her.

8 The police showed up at Duluth and put her into  
9 handcuffs and she was taken by a cop in the back of a cop  
10 car to the juvenile detention center in Grand Rapids. She  
11 was treated as a criminal. And because of her mental  
12 health, they couldn't keep her, but the police dropped her  
13 off and told them it was their problem. She had no personal  
14 items, no medications. No one at Beltrami County even  
15 answered their phone.

16 Madalynn called me hysterical in a panic attack  
17 begging me to come get her. She was scared and alone and I  
18 could do absolutely nothing. She had no medications to help  
19 with her anxiety, no medications to help her fall asleep,  
20 and no one trained to help her with her mental health.

21 For the next two nights she slept on the floor in  
22 the middle of the juvenile detention center because they  
23 didn't know what to do with her. Brandon or should I say  
24 Brett, I bet even in jail you get a bed.

25 From there she went to a facility in the Cities.

1 She was diagnosed with PTSD and claimed she was sexually  
2 abused again by someone she knew, but wouldn't talk about  
3 the details.

4 While she was there she was abused by a male  
5 staff, who has now lost his job. He banged a door into her  
6 head. And then she was abused by another resident. She was  
7 choked unconscious and was in the ICU on a ventilator for up  
8 to 17 hours. To this day she still talks about the  
9 nightmares of that place.

10 Exciting news, she gets to come home. Custody was  
11 finally given back to me after six months of court, missing  
12 work, and fighting the system. She did great for a while  
13 until her depression took over and she had more thoughts of  
14 suicide. She ended up back in treatment.

15 Too many places to list in this short amount of  
16 time, but if you want to know the total today, we're at 30,  
17 30 placements. We're probably close to 60 different  
18 medications, new treatment plans, every placement giving up  
19 on her and wanting her gone.

20 The last -- one of the places she was in in  
21 St. Cloud physically abused her so bad the cops were there  
22 on a daily basis. She was unconscious three different times  
23 and now the place is even shut down.

24 She has been in foster care twice, places both  
25 unable to keep her due to her behaviors and her high mental

1 needs. Madalynn knows what it takes to not have to stay at  
2 the places she doesn't want to be at, but she also knows  
3 when it comes right down to it, no one really wants her or  
4 maybe can't handle her.

5 For the past few years the message sent to  
6 Madalynn was nobody loves me, no one cares, I can't really  
7 trust anyone. Our years of hell and trauma has put Madalynn  
8 into a dark place and I'm not really sure I have much faith  
9 anymore of her even seeing the light.

10 She has had more suicide attempts than I can  
11 count, but the more serious ones were swallowing over 150  
12 prescription medications, which resulted in being airlifted  
13 to a better hospital in Fargo. She has swallowed  
14 commercial-grade razor blades and has had open stomach  
15 surgery to retrieve those items. She spent 11 days in the  
16 hospital recovering from that surgery. Most recent, this  
17 past December she swallowed an X-Acto knife razor blade and  
18 while coming out of surgery she stopped breathing and again  
19 had to be airlifted to another hospital for care.

20 She is currently under a civil commitment in a  
21 state facility dealing with her depression, anxiety, PTSD,  
22 self-harming attempts, and suicide attempts. And to be  
23 quite honest with you, she's not doing the best.

24 This is the short of it. If we had days I could  
25 fill you in on more details, but I'm not quite done. This



1 was just Madalynn. In addition the 29-plus placements for  
2 Madalynn, physical abuse, sexual abuse and harassment, the  
3 endless medications we've tried, weekly visits to therapy,  
4 weekly visits to psychologists, weekly visits to  
5 psychiatrists, trauma on my other children, stress on my  
6 marriage, separation of my marriage due to dealing with two  
7 kids with severe mental health issues, major loss in  
8 education for Madalynn, loss of friends for Madalynn, missed  
9 holidays and birthdays, Madalynn unable to work, I quit my  
10 job due to multiple appointments and missing too much work,  
11 loss of trust, Madalynn not able to attain her driver's  
12 license. That's just to name a few. She has completely  
13 lost out on her teenage years. She has no will to live and  
14 she honestly doesn't care if she dies.

15 When I found out about Brandon being arrested and  
16 for what, I was in total shock, as many people were. I was  
17 actually concerned for him and I was worried and my first  
18 thought was, wow, how could someone accuse this great guy of  
19 this severe crime. Then I found out more details and I was  
20 really upset and hurt.

21 How could somebody I know personally who knows my  
22 kids and somebody I trust do something like this? This  
23 doesn't happen in my neighborhood. Here's somebody who was  
24 Madalynn's fifth grade teacher, whom he took under his wing,  
25 whom I actually believed you cared about.

1           And when she moved on to the middle school, you  
2           took the job as the assistant principal. You looked after  
3           her. I remember many times Madalynn coming home from school  
4           telling me she was in your office just to talk, how you  
5           would come up and give her a hug in the hallway.

6           She came home excited for your family when you  
7           shared with her you and your wife were having a baby. And  
8           when you had the baby, you sought her out and gave her a  
9           baby announcement. She still has it.

10          I remember the times when you called me with  
11          concerns about Madalynn, when you shared things with me that  
12          she trusted you with but not me. I feel so violated as a  
13          parent. I trusted you and you took advantage of that trust.  
14          You played us both. You made us believe you were this great  
15          person.

16          The Friday before you were arrested I subbed at  
17          the middle school. You came into the classroom I was  
18          subbing at and you gave me a high five. You congratulated  
19          me on getting my teaching license and you said it was good  
20          to have me in your school. I laughed with you. I felt  
21          proud to have such a compliment from a principal.

22          When you were walking out of the classroom you  
23          walked over to my seventh grade daughter, put your hands on  
24          her shoulders and looked back at me and said, If this one  
25          here gives you any problems, send her my way. Now I really

1 wonder what you meant by that. If you wouldn't have been  
2 caught, would she have been next? Two of my girls wasn't  
3 enough?

4 Now that you know some of what Madalynn has been  
5 through, let me tell you how has it affected our family.  
6 Due to all of Madalynn's mental health, behavioral, and  
7 medical needs, including endless appointments, I had to quit  
8 my job. I went back to BSU to school so I had a more  
9 flexible schedule to get Madalynn where she needed to be.  
10 Not working meant money stress on my family.

11 Madalynn's needs soon took priority in the house  
12 and it weighed heavily on my other children and my marriage.  
13 Aaron, my husband, and I separated and started marriage  
14 counseling. My younger three girls started therapy in  
15 school due to all the stress. The bills continued to pile  
16 up.

17 My older daughter, also one of Brandon's victims,  
18 who you heard from, had her own problems and her own battles  
19 dealing with personality disorder and in weekly therapy.  
20 She bounced from boyfriend to boyfriend and continues today  
21 to have struggles to finding a committed relationship. She  
22 has told me that since this happened she doesn't know if she  
23 will ever be able to trust another man again. Not sure if I  
24 could either after being told as a 15-year-old that a grown  
25 man she knows was jerking off to her in her dance uniform.

1           While some of the things have returned to normal,  
2           Madalynn still continues to struggle and we miss her. We  
3           miss the fun, laughing Madalynn that once filled our house  
4           with loud silliness and I miss being her mom. I've missed  
5           out on helping her with homework. I've missed those  
6           mother/daughter talks about all the teen stuff that we  
7           struggle with.

8           I hate that she hasn't had a date and she hasn't  
9           had nights out with friends. I hate that she's never been  
10          late for a curfew because she's never had anywhere to go to  
11          to have one.

12          She's missed by her siblings, her parents, her  
13          aunts, her uncles, her grandmas and her grandpa and her  
14          cousins. She's missed by one of her best friends, the only  
15          one she has left. She's missed by her church family and her  
16          youth group friends. She's missed by teachers that actually  
17          care about her and others who have stuck with her.

18          I only pray that one day she is able to fight the  
19          demons that she has locked up deep inside her and realize  
20          that life is really worth living. I hope and pray that she  
21          has the courage and the faith to come to terms with the fact  
22          that the person she thinks walked on water abused her in a  
23          way that will leave permanent scars on her life forever. I  
24          can only pray that she doesn't continue to give you the  
25          power that she uses -- or that she defeats you for what you

1 have done not only to her, but to me and my entire family.

2 Brandon, what you have done to us makes me so sad.  
3 No child or family should ever have to experience anything  
4 like we have because of one person's selfish decisions. I  
5 would be wasting my breath preaching to someone who didn't  
6 stop the wrong until you were caught.

7 You're a very sick person, Brandon, and you have  
8 betrayed more people than you will ever realize. Your  
9 actions were not just some quick sentence you typed up with  
10 your fingers. Your actions have now resulted in a lifetime  
11 of hurt and pain for so many people.

12 I pray for every one of them that they find  
13 comfort in all of this, but most of all I pray for my girls,  
14 that they are somehow able to find peace after the years of  
15 battling a war that you have started.

16 I do believe Brandon needs the maximum sentence.  
17 He has had so many victims and the impact on each one of us  
18 is indescribable. Our pain and suffering doesn't end when  
19 his time is up in jail. It goes on forever.

20 I think he should have to sit and think about all  
21 of this as long as possible. He needs to take part in some  
22 kind of classes for sexual predators, and I think you should  
23 have to write a handwritten apology to each and every one of  
24 us.

25 You mentioned, Brandon, you don't deserve to ever

1 be forgiven. You're wrong. I forgave you a long time ago.  
2 That's the easy part. Forgiving and moving on, now that's  
3 the impossible part. It doesn't go away just because you  
4 are sorry.

5 Thank you, Your Honor.

6 THE COURT: Thank you.

7 MS. MUNOZ-KAPHING: Your Honor, I'm not aware of  
8 any other victims that would like to address the Court.  
9 Thank you.

10 THE COURT: Thank you. I will take a brief  
11 recess. I would expect it will be less than five minutes.

12 (Recess taken at 1:01 p.m.)

13 \* \* \* \* \*

14 (1:09 p.m.)

15 **IN OPEN COURT**

16 THE COURT: I will ask Mr. Wold and Mr. Bjerknes  
17 to please come forward. I am prepared to pronounce the  
18 sentence.

19 Before doing so I want to thank the families that  
20 have traveled here to St. Paul for this hearing and I very  
21 much want to thank those officials in Bemidji who have made  
22 it possible for those who could not travel here today to  
23 witness this hearing from their location. So thank you.

24 I have carefully reviewed the presentence  
25 investigation report and the addendum to that report and I

1 am now prepared to impose a sentence.

2 It is the judgment of the Court that you, Brandon  
3 Mark Bjerknes, are sentenced to prison for a term of 300  
4 months. This term of 300 months is for each count, Counts 1  
5 and 2, and it is to run concurrently.

6 This term also shall run concurrently with the  
7 sentences that are imposed in Beltrami County District  
8 Court, those are cases CR-17-846 and CR-17-1392, pursuant to  
9 United States Sentencing Guidelines Section 5G1.3(c).

10 As to fine, there is no fine that will be imposed.

11 You are, however, ordered to pay restitution and  
12 that amount is \$8,789.93. A confidential victim restitution  
13 list with addresses will be filed under seal. This amount  
14 is due and payable immediately. The interest requirements  
15 have been waived.

16 Now, while you are incarcerated you must make  
17 payments toward your restitution obligation as follows: If  
18 you're working UNICOR, you must make monthly payments of at  
19 least 50 percent of your earnings. If you are not working  
20 UNICOR, you must make quarterly payments of at least \$25.

21 After you're released from prison you must begin  
22 making payments toward any remaining restitution obligation  
23 within 30 days of your release. You must make monthly  
24 payments of at least \$100. If the probation officer  
25 determines that you are able to pay more than \$100 per

1 month, then you must make restitution payments in the amount  
2 that's directed by your probation officer.

3 You're ordered to pay a special assessment in the  
4 amount of \$200 to the United States and that's due  
5 immediately pursuant to Title 18, United States Code,  
6 Section 3013.

7 In addition, you must pay a special assessment in  
8 the amount of \$10,000 to the United States pursuant to the  
9 Justice for Victims of Trafficking Act, Title 18, United  
10 States Code, Section 3014. This additional special  
11 assessment shall not be payable until you have satisfied  
12 other court-ordered monetary obligations, including  
13 restitution.

14 All of your right, title, and interest in the  
15 property identified in the preliminary order for forfeiture  
16 and the plea agreement, all of that property will be  
17 forfeited.

18 On release from your imprisonment you will be  
19 placed on supervised release and that period of supervised  
20 release is for a term of life. This term consists of life  
21 on each of Counts 1 and 2 and is to run concurrently. While  
22 on supervised release you must follow and comply with the  
23 following conditions:

24 First, you must comply with the mandatory  
25 conditions of supervised release which are described in



1 Section 5D1.3(a) of the version of the United States  
2 Sentencing Guidelines that took effect on November 1, 2016.  
3 These conditions include that:

4 You must not commit any crimes, federal, state, or  
5 local.

6 You must cooperate in the collection of a DNA  
7 sample as directed by Probation.

8 You must comply with the requirements of the Sex  
9 Offender Registration and Notification Act, which is at 42,  
10 United States Code, Subchapter 1.

11 You must not unlawfully possess a controlled  
12 substance. You must refrain from any unlawful use of  
13 controlled substances. You must submit to one drug test  
14 within 15 days of your release from imprisonment and at  
15 least two periodic drug tests thereafter as determined by  
16 your probation officer.

17 You also must comply with the standard  
18 conditions of supervised release which are set forth in  
19 Section 5D1.3(c) of the version of the United States  
20 Sentencing Guidelines that took effect on November 1, 2016.  
21 These conditions include:

22 That you must report to the nearest United States  
23 Probation Office in the federal judicial district where you  
24 are authorized to reside within 72 hours of your release  
25 from imprisonment unless the probation officer instructs you

1 otherwise.

2 You must not possess a firearm, ammunition,  
3 destructive device, or any other dangerous weapon.

4 I'm also imposing the following special  
5 conditions:

6 You must abstain from the use of alcohol and other  
7 intoxicants and not frequent establishments whose primary  
8 business is the sale of alcoholic beverages.

9 You must submit to substance abuse testing as  
10 approved and directed by your probation officer.

11 You must submit your person, your residence,  
12 office, vehicle, or any area under your control to a search  
13 conducted by a United States probation officer or supervised  
14 designee at a reasonable time and in a reasonable manner  
15 based upon reasonable suspicion of contraband or evidence of  
16 a supervision violation. You shall warn any other residents  
17 or third parties that the premises and areas under your  
18 control may be subject to searches as a result of this  
19 condition.

20 You shall not possess or use a computer or have  
21 access to any online service without the approval -- the  
22 prior approval of the United States Probation and Pretrial  
23 Services Office.

24 If such approval is granted, you shall cooperate  
25 with any limitations deemed appropriate by the Probation

1 Office. Your cooperation shall include, but is not limited  
2 to, allowing installation of a computer and Internet  
3 monitoring program and/or identifying computer systems,  
4 Internet-capable devices, and similar memory and electronic  
5 devices to which you have access. This monitoring may  
6 include random examinations of computer systems along with  
7 Internet, electronic, and media storage devices under your  
8 control and the computer or devices may be removed for a  
9 period -- for more examination, thorough examination, if  
10 necessary. You shall contribute to the costs of such  
11 monitoring services based on your ability to pay as deemed  
12 appropriate by the United States Probation and Pretrial  
13 Services Office.

14 You must not possess, view, access, or otherwise  
15 use child pornography or any material that is deemed  
16 sexually stimulating or sexually oriented or that is deemed  
17 to be inappropriate by the United States probation officer  
18 in consultation with your treatment provider.

19 You must provide the probation officer access to  
20 any requested financial information, including credit  
21 reports, credit card bills, bank statements, and telephone  
22 bills.

23 You must not associate with persons under the age  
24 of 18 except in the presence of a responsible adult who is  
25 aware of the nature of your background and this current

1 offense and who has been approved by your probation officer.

2 You must participate in sex offender and/or mental  
3 health treatment as approved by the probation officer and  
4 you must submit to a risk assessment, which may include, but  
5 is not limited to, physiological testing and polygraph/truth  
6 verification testing. Polygraph testing may be used  
7 following the completion of primary treatment, as directed  
8 by your probation officer, to monitor adherence to the goals  
9 and objectives of that treatment. Sex offender assessments  
10 and treatment are to be conducted by a therapist approved in  
11 advance by the Probation Office. You also shall contribute  
12 to the costs of such treatment as determined by the  
13 Probation Office Co-Payment Program, not to exceed the total  
14 cost of the treatment.

15 You must have no contact with any of your victims,  
16 including letters, communication devices, audio or visual  
17 devices, visits, or any contact through a third party  
18 without the prior consent of the probation officer.

19 You shall be prohibited from incurring new credit  
20 card charges or new credit charges or opening additional  
21 lines of credit without approval of your probation officer.

22 You'll not be employed in any position or  
23 participate as a volunteer in any activity that would enable  
24 you to have direct or indirect contact with children under  
25 the age of 18 unless approved in writing by the probation

1 officer.

2 As you requested, I recommend that you be  
3 incarcerated in a facility in or near Minnesota so that you  
4 may remain reasonably near your family.

5 Finally, I direct the Probation Office to furnish  
6 to you a written statement of all of the conditions of your  
7 supervised release.

8 At this time, Mr. Bjerknes and Mr. Wold, you may  
9 be seated as I provide the reasons for the sentence that I  
10 have imposed. I have determined what sentence to impose in  
11 this manner:

12 I've treated the range recommended by the United  
13 States Sentencing Guidelines as the starting point and the  
14 initial benchmark, as *Gall vs. The United States* requires.  
15 I have not, however, presumed that the guidelines range is  
16 reasonable. I have instead carefully considered all of the  
17 factors described in Section 18, United States Code --  
18 Title 18, United States Code, Section 3553(a), including the  
19 need for the sentence to be sufficient, but not greater than  
20 necessary, to comply with the purposes set forth in  
21 Section 3553(a)(2).

22 Having considered all of the 3553(a) factors,  
23 including the nature and circumstances of the offenses and  
24 the history and characteristics of the defendant, I find  
25 that the sentence that I have imposed is sufficient, but not

1 greater than necessary, to reflect the seriousness of  
2 Mr. Bjerknes's offense and to provide just punishment for  
3 that offense, to deter Mr. Bjerknes from committing crimes  
4 in the future, to deter others from committing this or  
5 similar crimes in the future, to protect the public from  
6 Mr. Bjerknes, and to provide Mr. Bjerknes with the needed  
7 care, treatment, and training.

8 I further find that the sentence that I've imposed  
9 is necessary to avoid unwarranted disparities between  
10 Mr. Bjerknes's sentence and the sentences of defendants with  
11 similar records who have been found guilty of similar  
12 conduct and to provide restitution to the victims of  
13 Mr. Bjerknes's offense.

14 In particular, I have sentenced Mr. Bjerknes to  
15 300 months in prison, which is a downward variance from the  
16 sentencing guidelines range. The sentence is appropriately  
17 tailored to the facts and circumstances here.

18 Mr. Bjerknes, you chose to exploit children. You  
19 are a predator. These are children who placed their trust  
20 in you, whose parents placed their trust in you as an  
21 assistant principal and as an authority figure. These  
22 children, whose safety and well-being you were responsible  
23 for every day and over whom you held an enormous amount of  
24 influence and control, these are your victims.

25 The perceived distance between you and your

1 victims created by technology and the efforts that you took  
2 to mask your identity online do not make you any less  
3 culpable nor do they reduce the harm that you caused any of  
4 your victims to suffer.

5 You obtained and you disseminated pornographic  
6 images of children, real children. Their childhoods have  
7 been marred and their injuries were inflicted and in some  
8 instances are re-inflicted by the consumption and trade of  
9 degrading images of your exploitation of them. These are  
10 injuries that do not heal easily. Many times the healing  
11 takes years, if it occurs at all.

12 Over the course of nearly three years you preyed  
13 on and you victimized at least 55 girls and boys. You knew  
14 many of them personally. In a sense you invaded their  
15 homes, their bedrooms, places that were supposed to be their  
16 safest and most private spaces, so that you could selfishly  
17 satisfy your deviant sexual desires.

18 But for vigilance, the vigilance of parents of  
19 your victims, your predatory conduct would have continued.  
20 You used trickery to conduct your scheme. You used a fake  
21 identity and you led your victims to believe that you were  
22 one of their peers, a friend, an admirer.

23 You are a predatory pedophile. As one parent has  
24 written, you used what you learned about my child from  
25 school and repeatedly violated my child when she went home.

1       You followed her there.

2               You exploited your position of power, which gave  
3       you access to your victims' private and confidential  
4       information, and you used your position of power to target  
5       vulnerable children, some with low esteem or mental health  
6       conditions, children who are hurt and who are scarred. And  
7       you also used children to help you target and prey upon  
8       other children.

9               The evil and egregious nature of your offenses and  
10       the scope of the harm you have caused lead me to conclude  
11       that a meaningful term of imprisonment is necessary to  
12       reflect the seriousness of your offenses, to deter others  
13       from committing similar crimes in the future, and to protect  
14       the public by keeping you away from those who could be your  
15       next victims.

16              You have a minimal criminal history and you've  
17       struggled with alcohol abuse. Although these facts do not  
18       minimize the seriousness of your crimes, I am mindful of  
19       them in determining the appropriate sentence.

20              I'm also mindful that you have accepted  
21       responsibility for your conduct through your words and your  
22       actions. Your guilty plea and your cooperation with the  
23       authorities' investigation are examples of that.

24              Your decision to plead guilty has spared your  
25       victims and their families from having to endure the stress



1 and trauma of a long and protracted trial in which they  
2 might have been called as witnesses and forced to recount  
3 and relive their victimization in this public setting.

4 I also know that you have sought treatment in an  
5 effort to gain insight and to avoid committing future sex  
6 offenses and abuse.

7 These factors certainly do not excuse your conduct  
8 in any way, but these factors are important considerations  
9 that I've taken into account.

10 Mr. Bjerknes, it is clear from the letters I  
11 received that you have a strong, strong network of family  
12 and friends. I hope they continue to stand by you when they  
13 know the truth of what you have done. I encourage you to do  
14 your part to maintain ties with people who continue to  
15 support you and to focus on your rehabilitation.

16 For all of these reasons, a sentence of 300 months  
17 is sufficient, but it is not greater than necessary, to  
18 comply with the factors addressed in Title 18, United States  
19 Code, Section 3553(a). It reflects the severity of this  
20 offense.

21 In my judgment a sentence that exceeds 300 months  
22 is not necessary to protect the public, to promote respect  
23 for the law, or to provide just punishment for the offense.  
24 Nor in my judgment does this sentence create an unwarranted  
25 disparity in sentencing among defendants with similar

1 records who have been found guilty of similar conduct.

2 As to supervised release, I've imposed a life term  
3 to properly supervise Mr. Bjerknes and to protect the  
4 community. I've imposed this sentence to properly supervise  
5 Mr. Bjerknes.

6 As to a fine, I have not imposed a fine so that  
7 Mr. Bjerknes can focus his financial resources on paying the  
8 mandatory restitution obligations to the victims of his  
9 crime. Restitution is mandatory for your offense pursuant  
10 to Title 18, United States Code, Section 3663A.

11 Mr. Bjerknes, in the plea agreement you agreed  
12 that you may be ordered to pay restitution regardless of  
13 whether any victim was named in the information. I've  
14 imposed restitution in the amount of \$8,789.93 based on the  
15 restitution requests that have been received to date and the  
16 stipulation you entered in with the government.

17 Under Title 18, United States Code,  
18 Section 3664(d)(5), if any victim's losses are not  
19 ascertainable ten days prior to sentencing, the Court must  
20 set a date for the final determination of the victims'  
21 losses. That date cannot be any later than 90 days after  
22 sentencing.

23 Ms. Munoz-Kaphing, are there additional  
24 restitution requests expected; and if so, what's the  
25 government's position about setting a date for the final

1 determination of victims' losses?

2 MS. MUNOZ-KAPHING: Thank you, Your Honor. I do  
3 expect additional restitution requests to be submitted by  
4 victims in this case and I would request the 90-day period  
5 so that we can sort that out and attempt to enter into  
6 stipulations with the defendant.

7 THE COURT: And that will be granted. The  
8 government will have no later than 90 days after today to  
9 file a motion to amend the restitution amount, and  
10 Mr. Bjerknes will have an opportunity to respond before the  
11 Court makes a determination. If no such motion is filed,  
12 the restitution amount that I have imposed today will be the  
13 final restitution amount.

14 If any victim discovers additional losses after  
15 the restitution amount is final, they have 60 days after  
16 discovery of those losses in which to petition the Court for  
17 an amended restitution order. An order may be granted only  
18 upon a showing of good cause for the failure to include such  
19 losses in the initial claim for restitution.

20 Regarding forfeiture, I have ordered you,  
21 Mr. Bjerknes, to forfeit all of your right, title, and  
22 interest in the property identified in the preliminary order  
23 of forfeiture and the plea agreement.

24 I want to tell you about your appeal rights now,  
25 Mr. Bjerknes. You have the right to appeal your conviction

1 if you believe your guilty plea was unlawful or invalid for  
2 any reason. You also have the right to appeal your sentence  
3 if you believe that it is contrary to law.

4 If you wish to appeal your conviction, your  
5 sentence, or both, you must file a Notice of Appeal within  
6 14 days after the entry of judgment of conviction in this  
7 case.

8 If you cannot afford to pay the costs of an  
9 appeal, you can ask for permission to be excused from paying  
10 those costs. If you make that request, the Clerk of Court  
11 will file a Notice of Appeal on your behalf.

12 The presentence investigation report will be kept  
13 in the Court's files under seal. If an appeal is filed,  
14 that report will be delivered to the United States Court of  
15 Appeals for the Eighth Circuit.

16 Mr. Bjerknes is currently in custody and the  
17 Mandatory Detention Act applies. Mr. Bjerknes, you are  
18 remanded to the custody of the United States Marshal at the  
19 conclusion of this hearing. You should contact the  
20 Probation Office about the details of serving your sentence.

21 At this time I will ask counsel if there is  
22 anything further that the Court needs to address at this  
23 time.

24 MS. MUNOZ-KAPHING: Nothing from the government,  
25 Your Honor. Thank you.

1 THE COURT: Thank you.

2 MR. WOLD: Thank you, Your Honor. Unless the  
3 Court needs to note the credit for the time served to date  
4 towards the fulfillment of the sentence you imposed now.

5 THE COURT: I do recommend that that amount be --  
6 that credit for that amount be given, and let me see if my  
7 notes will tell me that amount.

8 (The Court and law clerk confer)

9 THE COURT: I understand that you have made that  
10 request and I don't have authority when sentencing a  
11 criminal defendant to award credit for time served. That is  
12 the responsibility of the United States Attorney General.

13 MR. WOLD: Thank you.

14 THE COURT: You're welcome, Mr. Wold. Thank you.

15 Now, is there anything further that needs to be  
16 addressed at this time?

17 MR. WOLD: Not from the defendant, Your Honor.

18 THE COURT: Thank you.

19 MS. MUNOZ-KAPHING: Nothing from the government,  
20 Your Honor. Thank you.

21 THE COURT: Thank you. Good luck to you,  
22 Mr. Bjerknes. We are in recess.

23 (Court adjourned at 1:35 p.m.)

24 \* \* \*

25

1  
2  
3 I, Lori A. Simpson, certify that the foregoing is a  
4 correct transcript from the record of proceedings in the  
5 above-entitled matter.  
6

7 Certified by: s/ Lori A. Simpson

8 Lori A. Simpson, RMR-CRR  
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